

(7) The New Mexico Hispanic Cultural Center is a living tribute to the Hispanic experience and will provide all citizens of New Mexico, the Southwestern United States, the entire United States, and around the world, an opportunity to learn about, partake in, and enjoy the unique Hispanic culture, and the New Mexico Hispanic Cultural Center will assure that this 400-year old culture is preserved.

(8) The New Mexico Hispanic Cultural Center will teach, showcase, and share all facets of Hispanic culture, including literature, performing arts, visual arts, culinary arts, and language arts.

(9) The New Mexico Hispanic Cultural Center will promote a better cross-cultural understanding of the Hispanic culture and the contributions of individuals to the society in which we all live.

(10) In 1993, the legislature and Governor of New Mexico created the Hispanic Cultural Division as a division within the Office of Cultural Affairs. One of the principal responsibilities of the Hispanic Cultural Division is to oversee the planning, construction, and operation of the New Mexico Hispanic Cultural Center.

(11) The mission of the New Mexico Hispanic Cultural Center is to create a greater appreciation and understanding of Hispanic culture.

(12) The New Mexico Hispanic Cultural Center will serve as a local, regional, national, and international site for the study and advancement of Hispanic culture, expressing both the rich history and the forward-looking aspirations of Hispanics throughout the world.

(13) The New Mexico Hispanic Cultural Center will be a Hispanic arts and humanities showcase to display the works of national and international artists, and to provide a venue for educators, scholars, artists, children, elders, and the general public.

(14) The New Mexico Hispanic Cultural Center will provide a venue for presenting the historic and contemporary representations and achievements of the Hispanic culture.

(15) The New Mexico Hispanic Cultural Center will sponsor arts and humanities programs, including programs related to visual arts of all forms (including drama, dance, and traditional and contemporary music), research, literary arts, genealogy, oral history, publications, and special events such as, fiestas, culinary arts demonstrations, film video productions, storytelling presentations and education programs.

(16) Phase I of the New Mexico Hispanic Cultural Center complex is scheduled to be completed by August of 1998 and is planned to consist of an art gallery with exhibition space and a museum, administrative offices, a restaurant, a ballroom, a gift shop, an amphitheater, a research and literary arts center, and other components.

(17) Phase II of the New Mexico Hispanic Cultural Center complex is planned to include a performing arts center (containing a 700-seat theater, a stage house, and a 300-seat film/video theater), a 150-seat black box theater, an art studio building, a culinary arts building, and a research and literary arts building.

(18) It is appropriate for the Federal Government to share in the cost of constructing the New Mexico Hispanic Cultural Center because Congress recognizes that the New Mexico Hispanic Cultural Center has the potential to be a premier facility for performing arts and a national repository for Hispanic arts and culture.

(b) DEFINITIONS.—In this section:

(1) CENTER.—The term ‘Center’ means the Center for Performing Arts, within the complex known as the New Mexico Hispanic Cul-

tural Center, which Center for the Performing Arts is a central facility in Phase II of the New Mexico Hispanic Cultural Center complex.

(2) HISPANIC CULTURAL DIVISION.—The term ‘Hispanic Cultural Division’ means the Hispanic Cultural Division of the Office of Cultural Affairs of the State of New Mexico.

(3) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

(c) CONSTRUCTION OF CENTER.—The Secretary shall award a grant to New Mexico to pay for the Federal share of the costs of the design, construction, furnishing, and equipping of the Center for Performing Arts that will be located at a site to be determined by the Hispanic Cultural Division, within the complex known as the New Mexico Hispanic Cultural Center.

(d) GRANT REQUIREMENTS.—

(1) IN GENERAL.—In order to receive a grant awarded under subsection (c), New Mexico, acting through the Director of the Hispanic Cultural Division—

(A) shall submit to the Secretary, within 30 days of the date of enactment of this section, a copy of the New Mexico Hispanic Cultural Center Program document dated January 1996; and

(B) shall exercise due diligence to expeditiously execute, in a period not to exceed 90 days after the date of enactment of this section, the memorandum of understanding under paragraph (2) recognizing that time is of the essence for the construction of the Center because 1998 marks the 400th anniversary of the first permanent Spanish settlement in New Mexico.

(2) MEMORANDUM OF UNDERSTANDING.—The memorandum of understanding described in paragraph (1) shall provide—

(A) the date of completion of the construction of the Center;

(B) that Antoine Predock, an internationally recognized architect, shall be the supervising architect for the construction of the Center; or any other architect subsequently named by the state.

(C) that the Director of the Hispanic Cultural Division shall award the contract for architectural engineering and design services in accordance with the New Mexico Procurement Code; and

(D) that the contract for the construction of the Center—

(i) shall be awarded pursuant to a competitive bidding process; and

(ii) shall be awarded not later than 3 months after the solicitation for bids for the construction of the Center.

(3) FEDERAL SHARE.—The Federal share of the costs described in subsection (c) shall be 50 percent.

(4) NON-FEDERAL SHARE.—The non-Federal share of the costs described in subsection (c) shall be in cash or in kind fairly evaluated, including plant, equipment, or services. The non-Federal share shall include any contribution received by New Mexico for the design, construction, furnishing, or equipping of Phase I or Phase II of the New Mexico Hispanic Cultural Center complex prior to the date of enactment of this section. The non-Federal share of the costs described in subsection (c) shall include the following:

(A) \$16,410,000 that was appropriated by the New Mexico legislature since January 1, 1993, for the planning, property acquisition, design, construction, furnishing, and equipping of the New Mexico Hispanic Cultural Center complex.

(B) \$116,000 that was appropriated by the New Mexico legislature for fiscal year 1995 for the startup and operating expenses of the New Mexico Hispanic Cultural Center.

(C) \$226,000 that was appropriated by the New Mexico legislature for fiscal year 1996

for the startup and operating expenses of the New Mexico Hispanic Cultural Center.

(D) \$442,000 that was appropriated by the New Mexico legislature for fiscal year 1997 for the startup and operating expenses of the New Mexico Hispanic Cultural Center.

(E) \$551,000 that was appropriated by the New Mexico legislature for fiscal year 1998 for the startup and operating expenses of the New Mexico Hispanic Cultural Center.

(F) A 10.9-acre lot with a historic 22,000 square foot building donated by the Mayor and City Council of Albuquerque, New Mexico, to New Mexico for the New Mexico Hispanic Cultural Center.

(G) 12 acres of ‘Bosque’ land adjacent to the New Mexico Hispanic Cultural Center complex for use by the New Mexico Hispanic Cultural Center.

(H) The \$30,000 donation by the Sandia National Laboratories and Lockheed Martin Corporation to support the New Mexico Hispanic Cultural Center and the program activities of the New Mexico Hispanic Cultural Center.

(e) USE OF FUNDS FOR DESIGN, CONSTRUCTION, FURNISHING, AND EQUIPMENT.—The funds received under a grant awarded under subsection (c) shall be used only for the design, construction, management, inspection, furnishing, and equipment of the Center.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section a total of \$17,800,000 for fiscal year 1998 and succeeding fiscal years. Funds appropriated pursuant to the authority of the preceding sentence shall remain available until expended.

#### AUTHORIZING TESTIMONY, PRODUCTION OF DOCUMENTS AND REPRESENTATION BY SENATE LEGAL COUNSEL

Mr. LOTT. I ask unanimous consent the Senate proceed to the immediate consideration of Senate Resolution 147 submitted earlier today by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 147) to authorize testimony, production of documents, and representation in *First American Corp., et al. v. Sheikh Zayed Bin Sultan Al-Nahyan, et al.*

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, the civil case of *First American Corporation, et al. versus Sheikh Zayed Bin Sultan Al-Nahyan, et al.*, pending in the District Court for the District of Columbia, presents claims arising out of the former business relationships between *First American Bank* and the *Bank of Credit and Commerce, International*, known as BCCI.

BCCI's business dealings were the subject of extensive hearings by the Subcommittee on Terrorism, Narcotics, and International Operations, of the Committee on Foreign Relations, between 1988 and 1992. Senator JOHN KERRY, who chaired that subcommittee, and former Senator Hank Brown, who was the ranking member, prepared a lengthy report documenting their findings.

The Foreign Relations Committee has received a request for a former counsel to the subcommittee, Jack Blum, to testify in this civil action about responses that the Subcommittee received to its requests for information in the course of its investigation. The Committee believes that it is appropriate to authorize the testimony requested on this subject. This resolution would accordingly authorize Mr. Blum to testify about this subject, but the resolution authorizes no other testimony by any Member or employee.

The committee has also received a request for committee records in connection with this case. In keeping with prior Senate practice, this resolution will not authorize the wholesale production of committee records, but authorizes the chairman and ranking member of the Foreign Relations Committee to produce, on a case-by-case basis, copies of selective committee records from this subcommittee investigation, where a strong basis for the request has been shown and the Senate's privileges permit.

Finally, the resolution authorizes the Senate legal counsel to provide representation in connection with the requests for testimony and documents in this proceeding.

Mr. LOTT. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 147) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 147

Whereas, in the case of *First American Corp., et al. v. Sheikh Zayed Bin Sultan Al-Nahyan, et al.*, C.A. No. 93-1309 (JHG/PJA), pending in the United States District Court for the District of Columbia, the plaintiff has requested testimony from Jack Blum, a former employee on the staff of the Committee on Foreign Relations, and the production of documents of the Committee on Foreign Relations;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members, employees, committees, and subcommittees, of the Senate with respect to any subpoena, order, or request for testimony or documents relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Jack Blum is authorized to testify in the case of *First American Corp., et al. v. Sheikh Zayed Bin Sultan Al-Nahyan, et al.*, except concerning matters for which a privilege should be asserted, and the chairman and ranking minority member of the Committee on Foreign Relations, acting jointly, are authorized to produce records of the Committee relating to the investigation of the Subcommittee on Terrorism, Narcotics, and International Operations into the Bank of Credit and Commerce, International.

SEC. 2. That the Senate Legal Counsel is authorized to represent Jack Blum, the Committee on Foreign Relations, and any present or former Member or employee of the Senate, in connection with *First American Corp., et al. v. Sheikh Zayed Bin Sultan Al-Nahyan, et al.*

#### REGARDING PROLIFERATION OF MISSILE TECHNOLOGY FROM RUSSIA TO IRAN

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 250, Senate Concurrent Resolution 48.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 48) expressing the sense of Congress regarding proliferation of missile technology from Russia to Iran.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 48) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, is as follows:

#### S. CON. RES. 48

Whereas there is substantial evidence missile technology and technical advice have been provided from Russia to Iran, in violation of the Missile Technology Control Regime;

Whereas these violations include providing assistance to Iran in developing ballistic missiles, including the transfer of wind tunnel and rocket engine testing equipment;

Whereas these technologies give Iran the capability to deploy a missile of sufficient range to threaten United States military installations in the Middle East and Persian Gulf, as well as the territory of Israel, and our North Atlantic Treaty Organization ally Turkey; and

Whereas President Clinton has raised with Russian President Boris Yeltsin United States concerns about these activities and the Russian response has to date been inadequate: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of the Congress that—

(1) the President should demand that the Government of Russia take concrete actions to stop governmental and nongovernmental entities in the Russian Federation from providing missile technology and technical advice to Iran, in violation of the Missile Technology Control Regime;

(2) if the Russian response is inadequate, the United States should impose sanctions on the responsible Russian entities in accordance with Executive Order 12938 on the Proliferation of Weapons of Mass Destruction, and reassess cooperative activities with Russia;

(3) the threshold under current law allowing for the waiver of the prohibition on the release of foreign assistance to Russia should be raised; and

(4) our European allies should be encouraged to take steps in accordance with their own laws to stop such proliferation.

Mr. KLY. Mr. President, I rise today to thank my colleagues for their support of Senate Concurrent Resolution 48, which was adopted by unanimous consent.

This resolution is important because over the past few months a series of increasingly troubling reports have been published indicating Russian organizations are continuing to provide missile assistance to Iran. According to these reports, Russia has supplied blueprints and components for the 2,000 kilometer range SS-4 ballistic missile, as well as a wide variety of equipment and material useful in the design and manufacture of ballistic missiles, including special metals, a wind tunnel, and missile design software.

These press accounts are corroborated by an unclassified CIA report to Congress released in June titled, "The Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions," which states that, "Russia supplied a variety of ballistic missile-related goods to foreign countries [in late 1996], especially Iran."

These reports clearly make the point that the assistance provided by Russian organizations is the critical factor which has accelerated the pace of Iran's ballistic missile program and may enable Tehran to complete development of a missile, called the Shahab-3, that will have sufficient range to strike United States forces in the region and Israel in as little as 12 to 18 months. In addition, Iran is also receiving Russian assistance with the development of a second missile, called the Shahab-4, that would have enough range to reach Central Europe and could be deployed in as little as 3 years.

The resolution adopted today expresses the sense of the Congress that the President should demand that the Russian Government take concrete actions to stop governmental and nongovernmental organizations from assisting Iran's missile program. If Russia fails to respond to United States concerns, the resolution calls on the President to impose sanctions on the responsible Russian entities.

This legislation does not require new sanctions, but rather calls on the administration to enforce the substantial